

and serves her Nation as a current member of the National Guard.

Doak is from "all over Iowa," having moved to different locations around the state approximately every four years with a brief period of residence in Kentucky. Moving around so frequently made it difficult to form many friendships or get to know her community well, but since she was little she has wanted to serve in the military.

"You have to kind of love what you do," Doak said of her decision to join the National Guard.

Doak played sports in her childhood and was an avid reader, but with her mother frequently relocating, she became a fairly introverted child.

She was influenced to join the National Guard partly due to her father's service in the military during her childhood. She joined the National Guard on Oct. 23, 2003 and continues to serve today.

Doak is an M-day soldier with the Guard, serving one weekend a month and two weeks a year. She said her personal goal for her service is to reach the rank of Command Sergeant Major.

When not serving her drill weekend, Doak is a full-time student at the Des Moines Area Community College Boone Campus. She also completed courses with Grantham University Online while deployed overseas. She was recently hired by the Boone County Commission for Veterans Affairs, working to provide services to service men and women in Boone County.

Doak was deployed to the LSA Anaconda base in Iraq from June of 2006 to August of 2007. She worked as a communications specialist and performed maintenance on "anything that plugged in."

When asked about how the current conflict in Iraq and Afghanistan influences her perception of her vocation, Doak was enthusiastic.

"It makes me want to work harder, to be better at [my job]," she said.

Doak said she does not plan to become a full-time Guardswoman, but she was thankful for the people she has met and friendships she has made during her time in the guard. She said she had no significant regrets from her time in the military except for not being able to be home when loved ones passed away.

"It's a repercussion of any job," she said.

Doak said that she is more aware of things in the world than she used to be, and her time in the Guard has helped her recognize the value of everyday experiences.

"I've grown up quite quickly," Doak said. She said she is more mature and conscious than she was in high school.

In the time between Memorial Day and Veterans Day, Doak encourages everyone to remember what military personnel and veterans have done.

"I think Veterans Day and Memorial Day touch everyone in some capacity," Doak said.

Doak said that even if you do not like that soldiers are deployed somewhere, it's important to thank them when the time is right.

"Remember to thank somebody," she said.

I commend Jennifer Doak for her many years of loyalty and service to our great Nation. It is an immense honor to represent her in the United States Congress, and I wish her all the best in her future endeavors.

## THE FEDERAL PROTECTIVE SERVICE IMPROVEMENT AND ACCOUNTABILITY ACT OF 2010

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 14, 2010

Mr. THOMPSON of Mississippi. Madam Speaker, I am pleased today to introduce a bill on behalf of myself and the gentlelady from Texas, Ms. JACKSON LEE.

The "Federal Protective Service Improvement and Accountability Act of 2010" addresses glaring gaps in security at our Federal buildings by putting the Federal Protective Service (FPS) on the path to fulfilling its homeland security mission.

My legislation would direct FPS to increase its ranks while fostering greater accountability and management of contract guards and security service contracts.

#### BACKGROUND

The Federal Protective Service (FPS) is a critical component of the Department of Homeland Security (DHS) and of our national security, being the agency responsible for the law enforcement and security of nearly 9,000 Federal facilities all across the country.

Over one million government employees work in federal facilities nationwide and many more members of the public visit and utilize federal facilities each year. Protecting these men and women is of the utmost importance.

FPS was transferred to DHS from the General Services Administration (GSA) under the 2002 Homeland Security Act. Starting in 2006, we began learning about serious capacity and operational challenges in this critical agency.

In 2006, two DHS Office of the Inspector General (OIG) reports were released that questioned the management of and security provided by FPS.

The first report revealed that FPS was running a significant budget shortfall due to problems with transferring operational funds when FPS was moved into DHS. The OIG indicated at the time that the fee-funding system employed by FPS to cover the costs of security it provides Federal agencies might be a part of the problem.

The second report included troubling revelations about the state of the contract security guard program which FPS had come to rely on to provide the physical security presence and access point controls at almost all of the facilities under their protection.

In 2006, FPS had less than 1,000 uniformed officers and employed roughly 15,000 contract guards. The OIG discovered that FPS was not performing adequate oversight of guards and estimated that at least 30 percent of contract guards in the facilities they inspected either did not meet suitability requirements to be permitted to stand at their post and perform their job or had at least one expired certification that would also prohibit them from standing post.

Furthermore, the OIG found that the guards standing post often did not adhere to the terms of their contracts by failing to adequately follow the orders laid out by FPS for manning their guard posts. The Inspector General's report concluded that FPS may have created a situation of unnecessary risk and increased vulnerability at Federal facilities by failing to properly oversee their contract guards.

In May 2007, I convened a Full Committee hearing on the state of FPS. At the hearing, we took testimony as to the serious flaws within the contract guard program and learned of FPS' initial plan to address their budget shortfall. FPS planned to transfer more than 200 Federal law enforcement officers and special agents out of FPS, their duties to be fulfilled by contract guards.

At the time, I expressed my strong reservations about this plan. Subsequently, the House Appropriations Committee directed FPS to maintain a staff of at least 1200 FTEs and FPS ended up addressing its budgetary woes by increasing the fee it charged for providing security by 47% between FY2005 and FY2009.

Over the past three years, my Committee has conducted extensive oversight of FPS and its management of the contract guard program.

By April 13, 2010, a follow-on audit by the Government Accountability Office that I requested revealed that previous concerns raised by the OIG as well as my Committee remained unaddressed, and serious security gaps existed.

GAO found that the initial problem of uncertified or unqualified guards standing post due to a lack of proper oversight was still a very big problem. In fact, GAO identified an entire region of roughly 1,500 guards who never received the proper x-ray and magnetometer training from FPS.

In one instance a woman's infant was put through the x-ray scanner, but the guard was able to retain his job after challenging the FPS for never properly training him on how to use the machine.

GAO also continued to find guards standing post with expired certifications, and even found one level IV facility, the highest risk facility FPS protects, where 75% of guards standing post had at least one expired certification.

GAO determined this happened because FPS lacked a reliable system to track and monitor certifications and training of guards, and was relying on contractors to accurately self report on their guards.

GAO concluded that the lack of uniform guidance for the frequency and rigor of guard post inspections meant that FPS rarely inspected many posts, and when they did there was no continuity from region to region with regard to what constituted a proper or thorough inspection.

The most concerning of GAO's findings, however, were the results of their penetration testing.

GAO performed covert penetration tests to see if contract guards in 10 of the highest risk facilities across the Nation would be able to prevent someone with bomb-making materials from entering the facilities. GAO had a 100 percent success rate.

In other words, they were able to sneak bomb making materials into every single facility they tested, on every attempt they made, and were even able to go somewhere within the facility like a bathroom, assemble the device, and then walk around the facility unimpeded, in and out of offices, including those of Members of this House.

This demonstrates an almost complete lack of entryway security at Federal facilities with the highest risk designation, and that is simply unacceptable.

To make matters worse, contract security guards do not have arrest authority of any kind, so if incidents did occur they could often do little besides call the police instead of physically being able to address a threat themselves.

When, in the Fiscal Year 2010 budget, the Obama Administration proposed transferring FPS out of Immigration and Customs Enforcement (ICE) and into the National Protection and Programs Directorate (NPPD), I held another Full Committee hearing to receive testimony as to whether this move would help or hinder reform to enhance FPS' performance.

At the November 2009 hearing, FPS and the leadership of NPPD promised to immediately begin reforms that would address the troubling GAO findings with the contract guard program.

In April, 2010, the Committee on Homeland Security held its third dedicated hearing on the state of FPS. At that hearing, GAO provided testimony on the contract guard program, and the question of whether it was time to rethink the Federal Protective Service's use of contract guards to protect some of our Nation's highest risk facilities.

Specifically, GAO recommended that FPS reassess how it protects Federal facilities, take a stronger role in overseeing contractor performance, and most importantly reassess the use of contract guards in the first place.

FPS responded to the GAO by noting they had increased the frequency of guard post inspections by 40 percent, and were in the process of implementing a multi-million dollar computer risk assessment program to streamline the process of guard post inspections and make them more uniform across the Nation. The computer program was not in use at the time of the hearing though, and still remains largely inoperable today.

In response, GAO stated that even with this new process, FPS was still too understaffed to perform adequate oversight of contractors and contract guards.

I would note that, at my request, GAO is currently performing an audit of the aforementioned computerized risk assessment and management program, known as RAMP.

Interesting, at the hearing, FPS claimed to have performed analysis of the cost savings that might be gained by full or partial conversion of contract guards to Federal positions, and had made the determination that the gains in security were not sufficient to warrant the expense.

Given that FPS lacks both a human capital plan and a current workforce analysis, FPS' contentions were somewhat dubious.

At the conclusion of the hearing, I was left unsatisfied that FPS was able or willing to undertake the necessary reforms. Thus, I came to believe that it would take legislative action to ensure that our Federal buildings had the security that Americans have the right to expect.

I directed my staff to work on legislation to tackle FPS' challenges in a comprehensive fashion.

#### OVERVIEW OF THE LEGISLATION

The "Federal Protective Service Improvement and Accountability Act of 2010" seeks to bolster FPS' management and diminish its over-reliance on contract guards thereby improving the overall security provided by FPS in many ways:

First, the bill will require FPS to increase the ranks of Federal Law Enforcement inspectors

it employs from the current number of about 800 to 1350. The increased presence of Federal law enforcement within Federal buildings, providing "boots on the ground" security expertise will fundamentally transform FPS.

Within the inspector workforce, the Federal Facility Security Officers shall serve the security expert function, responsible for performing the risk assessments, making security countermeasure recommendations, and performing the onsite inspections of security guard posts.

Complementing this effort will be the contributions of Federal Facility Law Enforcement Officers to address a serious need within Federal facilities for patrolling, performing law enforcement investigations, responding to crises, and exercising arrest authority when necessary.

This augmented inspector workforce—comprised of Federal law enforcement—will provide FPS, for the first time, with a core of specialized security personnel with the training and authority to foster change within the entire organization.

Second, the bill directs FPS to establish a dedicated contract oversight staff to monitor the contract guards. This would allieviate a major responsibility that was thrust upon FPS' law enforcement officers who, though lacking contract oversight knowledge, are expected to monitor contractor performance by contractors. Establishment of a specialized corps of contract oversight staff will have the added benefit of freeing up law enforcement officers to concentrate on their law enforcement duties full time.

Third, the bill will require the establishment of national minimum standards for the level of training and the certification of security guards.

This standard would directly alleviate the problem of different states and regions having contract guards with varying degrees of qualifications and training, despite being certified to act as security guards in their home states or regions.

Fourth, it expresses the sense of Congress that the security standards for Federal facilities established by the Interagency Security Committee, a Federal security advisory committee, and published in the document "Physical Security Criteria for Federal Facilities" become implemented for all Federal facilities for which they were issued. This would be another major step toward ensuring security at Federal facilities was uniform across the Nation.

Fifth, this bill sets up a 1 year pilot program to assess whether a Federal Facility Security Guard that is a Federal employee would do a better job protecting the highest risk federal facilities than a contract guard. GAO is charged with assessing the performance of the Federal Security Guards performing in the pilot.

In the event that the GAO finds their performance satisfactory, the Federal Facility Security Guard position created by the pilot would then become a permanent position at FPS. This pilot program is critical towards possibly addressing the problems with the contract security guard program that are all but endemic at this juncture.

FPS can no longer continue a patchwork approach to plugging security holes consistently found in the contract security guard program. This pilot will present Congress and FPS with a real world example of an alternative to contract guards that would instantly alleviate many concerns regarding the quality and legitimacy of security guard training and certification.

Sixth, this bill will require the highest risk Federal facilities to always maintain a sufficient number of persons with Federal law enforcement arrest authority so that they could respond to any crises that may occur with the necessary force and authority.

Seventh, this bill will require GAO to investigate the fee-funding system FPS utilizes to cover its operating costs. Numerous reports have linked this fee system, which bills tenant agencies for security primarily by a charge per the square footage of the facility, to hindering the progress of integration with DHS, as well as general reform, at FPS by hampering their ability to make decisions that require significant budgetary commitments.

#### CLOSING COMMENTS

The Federal Protective Service has a critical mission when it comes to this Nation's homeland security because it is a mission that directly protects Americans from potential harm. Yet since it was first moved into the Department of Homeland Security, FPS has been plagued with issues of mismanagement.

Some of these have been addressed, but the most serious issue to date has been the inability of the contract force, upon which FPS heavily relies, to provide adequate security at the entrances and exits to many highly populated and high risk Federal facilities.

This bill takes a comprehensive common-sense approach to addressing these security holes as quickly and responsibly as possible.

Simply put, FPS needs more officers, and this bill will give it to them. At the same time, FPS needs to find alternatives to its current contract-reliant approach to guarding facilities and this bill does just that by putting FPS on a path to building needed internal capacity to provide guard services.

I urge my colleagues to cosponsor the "Federal Protective Service Improvement and Accountability Act of 2010" and work with me to get passage of this critical homeland security legislation.

#### COMMEMORATING THE 20TH ANNIVERSARY OF APPLE

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 14, 2010*

Mr. SHIMKUS. Madam Speaker, today I rise to acknowledge the hard work of a group of educators from the United States and Canada who have provided their services to the people of Lithuania for 20 years.

The American Professional Partnership for Lithuanian Education, better known as APPLE, is marking its twentieth anniversary this year. APPLE was founded in 1990, as Lithuania emerged from the Soviet Union's iron curtain, for the purpose of supporting education reform in Lithuania as part of that nation's transition back to democracy.

APPLE is a non-profit which partners with the Lithuanian Ministry of Education and Science to train Lithuanian teachers in subjects ranging from agriculture, civics and geography to art and music. APPLE has grown from its first two week seminar in one city in 1991 into a program which conducted an entire summer program in nine cities throughout the country in 2009.

I want to join with the other Members of this House in congratulating the American Professional Partnership for Lithuanian Education on